1908-020
Lee Co

Chancery Causes: Thomas Cole vs. Helen Cole

Cavin, Farmer

CA-Divorce
T-Vices

To the Hon. H. A. W. Skeen, Judge of the Circuit Court for Lee County:

Humbley complaining your orator, Thomas Cole, a citizen of Lee County, Virginia, respectively represents unto your honor that he and one Helen Cavin, on or about the ____ day of February, 1907, were duly married to each other; that they lived together after they were married as aforesaid until about a week before Christmas, 1907, when to his utter surprise he was informed that his said wife had became untrue to him and he thereupon left her; that along about the latter part of November, or the first days of December, 1907, she committed the crime and act of adultery, by having carnal connection with one William Farmer, at Rose Hill, in a little barn in the rear of the L & N Railroad Company's section houses; that she committed her said acts of adultery with the said Farmer, without the consent, procurement or connivance of your orator; and that he has in no way condoned her said acts of adultery, nor lived or cohabited with her since he had knowledge of her said carnal conduct.

Your complainant will further show unto your honor that since his said wife committed the adulterous acts aforesaid with the said Farmer, and since he left her on account thereof, she has became to his sorrow and regret, a common prostitute going here and there offering her person to any and all male persons at all times and places, who will condescend to notice her.

Your respondant will further show and allege unto your honor that he is now and has been for more than a year next preceeding the institution of this suit a citizen of Lee County, and domiceled therein; that he and his said wife last cohabited in this County, and that she is now resident of this County:

The premises aforesaid considered, your complainant is advised that he is entitled to have an absolute divorce

from his said wife, Helen Cole; and to that end he prays that the said Helen Cole be made a party defendant to this bill of complaint; that she be duly summoned and required to answer the same, but not on oath as that is waived; that on a final hearing of this cause, your orator be awarded an absolute divorce from said Helen Cole, forever dissolving the bonds of matrimony existing between himself and the said Helen. And that all other and further relief be awarded your orator, that the nature of his case may require. And he will pray and etc.

Pennington Bros. P.Q.

Costs:

| | |
|---|---|
| Clerk | $5.53 |
| Dax | 1.50 |
| Shiff. | 1.50 |
| Atty. | 15.00 |
| | $23.53 |

Thos. Cole.

vs. } Writ

Helen Cole

1908 2nd April Rule Bill filed, Spa. executed

" 1st May Rule Cause set for hearing.

1908 1st July Rule Bill filed & Spa. executed.

" 2nd July Rule Cause set for hearing.

| | | |
|---|---|---|
| Thomas Cole, Complainant. | # | |
| vs. | # | Decree. |
| Helen Cole, Defendant. | # | |

This cause came on this the _____day of September, 1908, to be heard upon said complainant's bill and the deposition of William Farmer, taken in Virginia before a Commissioner in chancery and filed in this case in behalf of the complainant, and was argued by counsel.

On consideration whereof, and it appearing to the Court independently of the admission of either party in the pleadings or otherwise of this cause, that the said parties were lawfully married to each other; that since the said parties were married and without the consent, procurement or connivance of the said complainant the said defendant, Helen Cole, has been guilty of adultery; that the said complainant has not co-habited with the said defendant since obtaining knowledge of the siad adultrious acts of the said defendant; that both the said complainant and defendant have resided and been domiciled in this State ever since their marriage and for more than one year next proceeding the commencement of this suit; and that the said complainant has in no-wise condonmed the said adultrous acts of the said defendant; it is therefore adjudged, ordered and decreed that the said Thomas Cole and Helen Cole be divorced from the bonds of mattrimony which was created by the aforesaid marriage; and that the said marriage be, and the same id hereby dissolved and annulled.

And it is further ordered that the said plaintiff recover of the said defendant his consts by him in this behalf expended; and nothing further remaining to be done in this suit, it is ordered that the same be stricken from the docket.

Thomas Cole

vs. } Decree final

Helen Cole

Entered in C.O.B.
# 8, page 384.

Enter this
Sept 8 1908
H. A. W. Skeen

| | |
|---|---|
| Thomas Cole, Complainant, vs. | In Chancery. |
| Helen Cole, Defendant. | |

The deposition of William Farmer taken before R. E. L. Chumbley, a Commissioner in chancery for the Circuit Court for the County of Lee, persuant to notices thereto annexed at the law Office of E. W. Pennington, in the town of Pennington Gap, Lee County, Virginia, on the 20th day of June, 1908, between the hours of eight A. M. and four P. M. of that day to be read as evidence in behalf of Thomas Cole in a certain suit in equity pending in the Circuit Court in the County of Lee wherein Thomas Cole is complainant and Helen Cole is defendant.

Present, E. W. Pennington attorney for the plaintiff and no one for the defendant.

No witnesses appearing to testify in this case, the further taking of this deposition is postponed and continued until the 30 day of June, 1908, at the same place as mentioned in the foregoing caption, and in the annexed notice .

Given under my hamd, this the 20th day of June, 1908.

R. E. L. Chumbley,

Commissioner in Chancery.

Met pursuant to the adjournment above, at the law office of E.W.Pennington in the town of Pennington Gap, Va., on the 30th day of June, 1908, and between the hours of 8 A.M. and 4 P.M.

Commissioner in chancery for Lee Co.

W. F. Farmer a witness of lawful age after being duly swormn deposes as follows:

Q.1. Give your name, age, residence and occupation.

Ans. My name is W. F. Farmer; 32 years old; reside at Hubbard Springs; laborer.

Q.2. Are you acquainted with Thomas Cole and Helen Cole, his wife? If so, how long have you known them?

Ans.

Ans. I do know both of said parties. I have know her soething like five or six months,and Thomas some three years.

Q.3. Where does Thomas Cole reside and make his home?

Ans. He lives at Rose Hill in this county. He has been living there and in that neighborhood about all his life. I think he has been living around Rose Hill about ever since I first knew him.

Q.4. State if you know whether Thomas Cole's wife,Helen Cole has ever had carnel connection with any other person ? If so, state when and where as near as you can it was,and how often, and with whom?

Ans. About the 15th day of December,1907,at Rose Hill in this County, at Thomas Cole's house,I know of his wife having carnel intercourse with a certain man;but I can not tell who it was without perhaps incriminating myself. Thomas Cole was not there at the time she had intercourse with that man ;he had went away from home,I think.

Q.5. Was her adlulterous acts brought about with the consent, procurement or connivance of said Thomas Cole,if you know?

Ans. No it was not.

W.6. After Thomas Cole found out her adulterous acts,has he lived with his wife,any more?

Ans. No,sir.

Q.7 State if you know,what has become of said Helen Cole?

Ans. The last I heard of her she was in the Rose Hill neighborhood;and it is said she is now a common prostitute,having carnel connection with any and all persons. I only know of her having intercourse with a man other than her husban but one time.

And further this deponent saith not.

W. L. Farmer

State of Virginia,

County of Lee, to-wit.-

I, R. E. L. Chumbley, a Commissioner in Chancery for the Circuit Court of Lee County, Virginia, do hereby certify that the foregoing deposition was duly taken, reduced to writing, and signed by the witness before me, at the place and the times therein mentioned, ~~xxxxxxx~~ persuant to the annexed notice.

Witness my hand this 30th day of June, 19o'.

R. E. L. Chumbley ....Commissioner in Chancery

Thomas Teale

vs } Depositions

Helen Teale

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Received by mail in good condition and filed July 1, 1908.

H. C. T. Ewing.
Clerk.

To Helen Cole:

You are hereby notified that on the 20th day of June, 1908, in the law office of E. W. Pennington in the town of Pennington Gap in Lee County, Virginia, and between the hours of 8 a.m. and 4 p.m. of that day, I will take the deposition of William Farmer and others to be read as evidence in my behalf in a certain suit in Chancery now pending in the Circuit Court for Lee county, Virginia, wherein I am plaintiff and you are defendant.

If the said depositions be not commenced, or if commenced, be not finished, at the time and place aforesaid, I will adjourn the taking thereof from day to day, time to time, and place to place, until completed.

Yours very truly,

Thomas Cole.

Thomas Cole

vs } Notice

Helen Cole

Executed on the 19
day of June 1908 by
delivering a true copy
of the within notice
to Helen Cole in person
in Lee County, Va.

C. E. Smith D.S.

for H. G. Tucker
S. C. Lee

# The Commonwealth of Virginia,

**To the Sheriff of the County of Lee, Greeting:**

WE COMMAND YOU, That you summon Helen Cole

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 1st Monday in July, 1908, to answer a bill in chancery exhibited against her by T. Tomah Cole

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 13th day of May, 1908, and 132nd year of the Commonwealth.

A Copy, Teste: H. C. T. Ewing, Clerk

_____, Clerk

Thomas Cole

VS { SUBPŒNA IN CHANCERY

Helen Cole

Pin. Bros., p. q.

To 1st July Rules

Lee Circuit Court

1908.

Executed on the 19th day of June, 1908 by delivering a true copy of the with-in summons to Helen Cole in Lee Co., Va.

C. E. Garrett. D.S.
for W. Y. Tucker, S.L.C.

# The Commonwealth of Virginia,

**To the Sheriff of the County of Lee, Greeting:**

WE COMMAND YOU, That you summon Helen Cole

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 3rd Monday in April, 1908, to answer a bill in chancery exhibited against her by Robert Cole.

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 11th day of April, 1908, and 132nd year of the Commonwealth.

H. C. T. Ewing, Clerk

A Copy, Teste:

_____, Clerk

Robert Cole

VS { SUBPŒNA IN CHANCERY

Helen Cole

Pen. Bros. p. q.

To 2nd April Rules

Circuit Court

1908.

Executed by Seiming a true copy of the within on Helen Cole.

April 18/08

C. E. Garrett D. S.

For Jr. J. Jucker

S. L. E.

Thomas Cole –

vs. } In Chancery

Helen Cole.

Decree Final Sept.
Term 1908.

The Globe Crushed Envelope
SIZE 10—1¼